

**COUNTY BOARD MINUTES
JULY 15, 2019**

The Board convened on Monday, July 15, 2019, at 9:00 AM with all the members present: Byrne, Tilkes, Zoll, Geerts, and Hackman. The meeting was called to order by Chairman Hackman. Also present were: Rick Holthaus, Terry Johnson, and Jim Cook.

Motion by Geerts, Seconded by Zoll to approve agenda for July 15, 2019. Roll Call: All Ayes. Motion Carried.

Dusten Rolando present at 9:02 AM.

Motion by Tilkes, Seconded by Byrne to approve board minutes for July 8 & 9, 2019. Roll Call: Ayes: Tilkes, Byrne, Geerts, and Zoll. Abstain: Hackman. Motion Carried.

Public comment

Motion by Tilkes, Seconded by Byrne to approve the Liquor license for Assumption of the Blessed Virgin Mary Church. Roll Call: All Ayes. Motion Carried.

Mark Huegel present at 9:05 AM.

The Board discussed the County Engineer' performance. Also present were Dusten Rolando and Mark Huegel. The Board received a signed request for closed session pursuant to Iowa Code Section 21.5 (1) (I).

Motion by Geerts, Seconded by Byrne to enter closed session as per Iowa Code Section 21.5 (1) at 9:08A.M. Roll Call: All Ayes. Motion Carried.

Discussion followed.

Motion by Geerts, Seconded by Byrne to exit closed session at 9:31AM. Roll Call: All Ayes. Motion Carried.

No action taken at this time.

Motion by Tilkes, Seconded by Byrne to approve Resolution setting forth the intent of Chickasaw County to close, vacate and abandon a road and a bridge (current FHWA Bridge #111070) and set public hearing for August 5, 2019 at 9:30 AM. Roll Call: All Ayes. Motion Carried. RESOLUTION NO. 07-15-19-34
A RESOLUTION SETTING FORTH THE INTENT OF CHICKASAW COUNTY TO CLOSE, VACATE AND ABANDON A ROAD DESCRIBED AS FOLLOWS: A PARCEL OF LAND 40 FEET WIDE COMMENCING ON CENTERLINE OF THE ORIGINAL ESTABLISHED ROAD AT TWO RODS NORTH AND 20 FEET EAST OF THE NORTH WEST CORNER OF THE NORTH EAST QUARTER OF SECTION 1, TOWNSHIP 95N, RANGE 11W, WEST 5TH P.M. IN CHICKASAW COUNTY AND RUNNING THENCE SOUTH TERMINATING AT A POINT 20 FEET EAST AND 2 RODS NORTH OF THE SOUTH WEST CORNER OF THE NORTH WEST QUARTER OF THE NORTH EAST QUARTER OF SECTION 1, TOWNSHIP 95N, RANGE 11W, WEST 5TH P.M. IN CHICKASAW COUNTY; NOTE: THE NORTH TWO RODS OF SAID PARCEL TO BE VACATED ARE LOCATED IN SECTION 36, TOWNSHIP 96N, RANGE 11W, WEST 5TH P.M. IN CHICKASAW COUNTY; THE ORIGINAL ROAD RIGHT OF WAY WAS ESTABLISHED IN BOOK 2, PAGE 12 OF ROAD RECORDS IN THE

CHICKASAW COUNTY ENGINEER'S OFFICE AND A BRIDGE (CURRENT FHWA BRIDGE #111070) LOCATED ON THE ROADWAY DESCRIBED HEREIN ABOVE.

WHEREAS, the Board of Supervisors of Chickasaw County, Iowa has determined that continued maintenance of a road described as follows: A parcel of land 40 feet wide commencing on centerline at two rods north and 20 feet east of the North West Corner of the North East Quarter of Section 1, Township 95N, Range 11W, West 5th P.M. in Chickasaw County and running thence south terminating at a point 20 feet east and 2 rods north of the South West Corner of the North West Quarter of the North East Quarter of Section 1, Township 95N, Range 11W, West 5th P.M. in Chickasaw County; Note: The north two rods of said parcel to be vacated are located in Section 36, Township 96N, Range 11W, West 5th P.M. in Chickasaw County; the original road right of way was established in Book 2, Page 12 of Road Records in the Chickasaw County Engineer's Office is detrimental to the citizens of Chickasaw County. **WHEREAS**, the Board of Supervisors of Chickasaw County, Iowa has determined that it is in the best interest of the citizens of Chickasaw County, Iowa to close, vacate and abandon said road. **WHEREAS**, the Board of Supervisors of Chickasaw County, Iowa has determined that continued maintenance of bridge (current FHWA Bridge #111070) located on the roadway described herein is detrimental to the citizens of Chickasaw County, Iowa. **WHEREAS**, the Board of Supervisors of Chickasaw County, Iowa has determined that it is in the best interest of the citizens of Chickasaw County, Iowa to close, vacate and abandon said bridge (current FHWA Bridge #111070) located on the roadway described herein above. **WHEREAS**, the roadway described hereinabove and the bridge described hereinabove are being utilized by adjacent landowners, Melvin Balk and Marvin Balk. **NOW THEREFORE, BE IT HEREBY RESOLVED** that a public hearing thereon will be held in the Chickasaw County Board of Supervisors meeting room at the Courthouse in New Hampton, Chickasaw County, Iowa on the 5th day of August, 2019 at 9:30 a.m. at which time and place the Chickasaw County Board of Supervisors will consider arguments for or against closing, vacating and abandonment of said road and bridge. **NOW THEREFORE, BE IT HEREBY RESOLVED** that upon the closure, vacation and abandonment of the road and bridge referred to herein above by Chickasaw County, that said road and bridge be transferred to Melvin Balk and Marvin Balk. **BE IT FURTHER RESOLVED**, that the Chickasaw County Auditor is hereby authorized and directed to cause to be published notice of such hearing on the time not less than four (4) days or more than twenty (20) days prior to the date herein established for hearing as provided by law. A copy of said Notice of Public Hearing is attached hereto marked Exhibit "A", and is incorporated herein as though set forth verbatim. **BE IT FURTHER RESOLVED**, that the Chickasaw County Auditor is hereby authorized to send certified mail of this notice to the adjoining property owners, Melvin Balk, Marvin Balk, Lila Zrostlik and Thomas J. Achen. The auditor is further directed to mail said notice to the utility companies adjoining or on the right-of-way: Windstream Communications and MiEnergy. The auditor is further directed to send notice to the Iowa Department of Transportation District 2 Local Systems Engineer – Robert Welper and the Chickasaw County Board of Supervisors. Board of Supervisor Chickasaw County, Iowa /ss/Jacob Hackman, Chairman Board of Supervisors ATTEST: /ss/ Joan E. Knoll, Chickasaw County Auditor **EXHIBIT "A" PUBLIC NOTICE TO: THE PUBLIC AND ALL RESIDENTS OF CHICKASAW COUNTY, IOWA YOU AND EACH OF YOU ARE HEREBY NOTIFIED THAT A MEETING HELD ON JULY 15, 2019, THE CHICKASAW COUNTY, IOWA BOARD OF SUPERVISORS PASSED RESOLUTION NO. 07-15-19-34 GIVING NOTICE OF ITS INTENT TO CONSIDER THE CLOSING, VACATING AND ABANDONMENT OF A ROAD DESCRIBED AS: A PARCEL OF LAND 40 FEET WIDE COMMENCING ON CENTERLINE AT TWO RODS NORTH AND 20 FEET EAST OF THE NORTH WEST CORNER OF THE NORTH EAST QUARTER OF SECTION 1, TOWNSHIP 95N, RANGE 11W, WEST 5TH P.M. IN CHICKASAW COUNTY AND RUNNING THENCE SOUTH TERMINATING AT A POINT 20 FEET EAST AND 2 RODS NORTH OF THE SOUTH WEST CORNER OF THE NORTH WEST QUARTER OF THE NORTH EAST QUARTER OF SECTION 1, TOWNSHIP 95N, RANGE 11W, WEST 5TH P.M. IN CHICKASAW COUNTY; NOTE: THE NORTH TWO RODS OF SAID PARCEL TO BE VACATED ARE LOCATED IN SECTION 36, TOWNSHIP 96N, RANGE 11W, WEST 5TH P.M. IN CHICKASAW COUNTY; THE ORIGINAL ROAD RIGHT OF WAY WAS ESTABLISHED IN BOOK 2, PAGE 12 OF ROAD RECORDS IN THE CHICKASAW COUNTY ENGINEER'S OFFICE,**

AND A BRIDGE (CURRENT FHWA BRIDGE #111070) LOCATED ON THE ROADWAY DESCRIBED HEREIN ABOVE. A public hearing on the closing, vacating and abandonment of said road and bridge and disposition of said roadway and bridge to Melvin Balk and Marvin Balk will be held at 9:30 o'clock a.m. on August 5, 2019 at the Chickasaw County Board of Supervisors Meeting Room at the Courthouse at 8 East Prospect, New Hampton, Chickasaw County, Iowa. At this hearing any interested person may appear and voice or file written objections to the proposed closing, vacating and abandonment of said road as set forth herein and said bridge (current FHWA Bridge #111070) located on the roadway described hereinabove and the disposition of said roadway and bridge as set forth herein. Board of Supervisor Chickasaw County, Iowa /ss/Jacob Hackman, Chairman Board of Supervisors ATTEST: /ss/ Joan E. Knoll, Chickasaw County Auditor.

Ray Armel and Bob Fenske present at 9:45 AM.

Shirley Troyna present at 9:52 AM.

Sue Breitback present at 9:55 AM.

The Board discussed the Board of Health's meeting held on July 11, 2019. Also present was James Cook. Mr. Cook informed the Board that the Board of Health signed a memorandum of understanding with R.U.S.S. (Regional Utility Services Systems) for environmental health services and/or a new environmental health director is hired. Liaison Byrne informed the Board that an e-mail dated June 21, 2019 was sent to the five Board of Health members and himself addressing some of the concerns to the memorandum of understanding and that the agreement should be a 28E agreement. The Board of Supervisors has authority to enter into a 28E agreement pursuant to Iowa Code Section 331. 304(1), however, the Board of Health does not have the authority to enter into a 28E agreement. The Board of Health has authority to recommend that the Board of Supervisors enter into a 28E agreement with R.U.S.S. Also discussed was computer/s, printer/s envelopes, stamps, writing utensils etc. needed to perform the duties, provide tools, equipment needed, and workspace as needed. It was also mentioned to check the references. More discussion. Mr. Cook will contact the vendor for a 28E agreement, and it was the consensus of the Board to have the County Attorney's office draft a 28E agreement for the Board to review.

Terry Johnson left at 10:07 AM.

Jim Cook left at 10:08 AM.

Linda Kapler met with the Board for permission to use the Courthouse grounds and restrooms facilities located on the first floor of the Courthouse for the Quilt of Valor ceremony. Lina Kapler presented to the Board a Certificate of Insurance.

Motion by Geerts, Seconded Tilkes to allow the use of the Courthouse grounds and restroom facilities located on the first floor of the Courthouse for the Quilt of Valor ceremony scheduled for September 1, 2019 at 5:00 PM. Roll Call: All Ayes. Motion Carried.

Linda Kapler left at 10:12 AM.

Treasurer Sue Breitbach met with the Board for review and approval of the Semi-Annual Report, with discussion following and review of bank balances.

Motion by Geerts, Seconded by Zoll to approve the Treasurer's semi-annual report ending June 30, 2019, subject to audit. Roll Call: All Ayes. Motion Carried.

Motion by Zoll, Seconded by Geerts to approve quarterly reports ending June 30, 2019 for Auditor, Recorder, Sheriff, and Veterans Affairs and Amended quarterly report ending March 31, 2019 for Auditor, subject to audit. Roll Call: All Ayes. Motion Carried.

Sue Breitbach left at 10:25 AM.

Shirley Troyna left at 10:27 AM

County Engineer Dusten Rolando met with the Board for a departmental update.

The Board reviewed the Resolution to change bridge posting.

Motion by Tilkes, Seconded by Zoll to approve Resolution to change bridge postings as per the recommendation of County Engineer. Roll Call: All Ayes. Motion Carried. **RESOLUTION 07-15-19-35** WHEREAS, Chickasaw County completes an inspection of all bridges and structures on the Secondary Road System of Chickasaw County and WHEREAS, part of this inspection involves the recalculation of the safe load capacity of any structure showing remarkable deterioration of the structural components of that structure and WHEREAS, that structural evaluation has resulted in the recommendation to reduce the safe load capacity that can be supported by certain structures, NOW, THEREFORE BE IT RESOLVED by the Chickasaw County Board of Supervisors on this 15th day of July, 2019 as provided in Sections 321.471, 321.472, and 321.473, Code of Iowa to erect and/or maintain weight limit signs in advance of the following bridges located on the Local Secondary Road System as follows:

FHWA Bridge No.	Location	Current Posting	New Posting
110970	N24, T94N, R14W	-	27,40,40
111031	N33, T94N, R14W	-	27,40,40
112700	N30, T96N, R13W	-	27,40,40
112870	N30, T96N, R14W	-	27,40,40
110100	T7, T94N, R11W	-	28,40,40
110131	W17, T94N, R11W	-	28,40,40
000135	N30, T97N, R13W	-	28,40,40
110270	N34, T94N, R11W	-	28,40,40
110601	W18, T94N, R13W	-	28,40,40
111051	N36, T94N, R14W	-	28,40,40
111211	W26, T95N, R11W	-	28,40,40
111530	W34, T95N, R12W	-	28,40,40
111600	W10, T95N, R13W	-	28,40,40
111860	N31, T95N, R14W	-	28,40,40
112030	T19, T96N, R11W	-	28,40,40
112311	T30, T96N, R12W	-	28,40,40
112770	N9, T96N, R14W	-	28,40,40
112851	N24, T96N, R14W	-	28,40,40
112891	N31, T96N, R14W	-	28,40,40
363020	T18, T95N, R12W	-	28,40,40
113251	W20, T97N, R13W	-	28,40,40
365335	N25, T97N, R13W	-	28,40,40
113440	T29, T97N, R14W	-	28,40,40

111300	N3, T95N, R12W	"ONE TRUCK" SIGN SERIES	28,40,40 "ALL VEHICLES" "ONE TRUCK" SIGN SERIES
112400	N7, T96N, R13W	"ONE TRUCK" SIGN SERIES	28,40,40 "ALL VEHICLES" "ONE TRUCK" SIGN SERIES

FHWA Bridge No.	Location	Current Posting	New Posting
112491	W14, T96N, R13W	"ONE TRUCK" SIGN SERIES	28,40,40 "ALL VEHICLES" "ONE TRUCK" SIGN SERIES
110641	W22, T94N, R13W	-	"ONE LANE"
110851	N6, T94N, R14W	-	"ONE LANE"
110871	T6, T94N, R14W	-	"ONE LANE"
110961	N23, T94N, R14W	-	"ONE LANE"
111340	T10, T95N, R12W	-	"ONE LANE"
111691	T26, T95N, R13W	-	"ONE LANE"
112341	N33, T96N, R12W	-	"ONE LANE"
112372	W3, T96N, R13W	-	"ONE LANE"
112561	T20, T96N, R13W	-	"ONE LANE"
112982	W20, T97N, R11W	-	"ONE LANE"
113231	N20, T97N, R13W	-	"ONE LANE"

Passed and approved this 15th day of July 2019. BOARD OF SUPERVISORS, Chickasaw County, Iowa /ss/ Jacob Hackman, Tim Zoll, Steve Geerts, David Tilkes, Jason Byrne. ATTEST: /ss/Joan E. Knoll, Chickasaw County Auditor

Motion by Byrne, Seconded by Tilkes to acknowledge the retirement of Terry Hirsch as Equipment Operator effective September 30, 2019. Roll Call: All Ayes. Motion Carried.

The Board discussed rate of pay and back pay for Township and Clerk's pursuant to Iowa Code Section 359.46 and 359.47. Board Minutes in part for June 11, 2018 reads as follows: Motion by Geerts, Seconded by Tilkes to approve meeting allocation for FY 2018-19 Township Clerks at \$50.00 per meeting and Township Trustees at \$35.00 per meeting. Roll Call: Ayes: Geerts, Tilkes, Zoll, and Hackman. Absent: Carolan. Motion Carried. Discussion followed.

Motion by Tilkes, Seconded by Geerts to approve meeting allocation for Township Clerks and Trustees at \$50.00 per meeting effective July 15, 2019 pursuant to Iowa Code Section 359.46 and 359.47 and to pay the Township trustees the difference between the clerk and trustee (\$50.00-\$35.00= \$15.00) per meeting for FY 2018-2019. Roll Call: All Ayes. Motion Carried.

Supervisor Hackman discussed with the Board the office space at the Heritage Residence. Currently the lease with Prairie View Management, Inc. is \$1.00 per year to rent the Heritage Residence Facility. Supervisor Hackman informed the Board that there is no office space for other departments needs so he discussed with the Board the possibility of exploring other options for office space. He also informed the Board that the County is storing equipment at the Event center and garage. The Board will revisit office space options later.

Ray Armel left at 10:47 AM.

Mark Huegel and Bob Fenske left at 10:50 AM.

Rick Holthaus left at 11:10 AM.

Received and filed in the Auditor's Office MMP Short Form for Annual Updates for Kleiss Barn (ID 66865) in Section 17 of Dresden Township located at 2748 Mission Avenue, Fredericksburg, IA 50630.

Motion by Geerts, Seconded by Tilkes to adjourn at 11:29 AM. Roll Call: All Ayes. Motion Carried.

Jacob Hackman, Chairman
Board of Supervisors

ATTEST:

Joan E. Knoll, Auditor